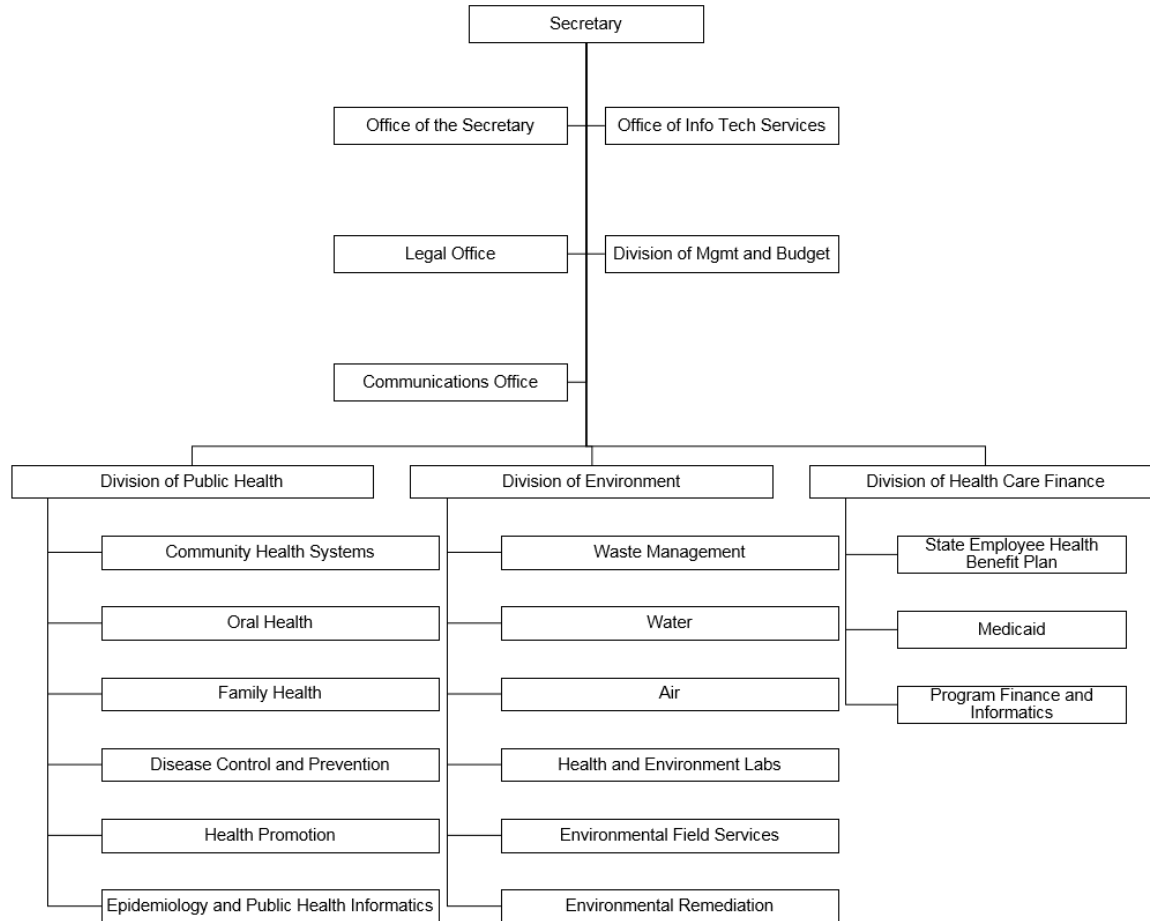




Gary Mason
Deputy Secretary for Environment

KDHE Division of Environment Overview
Senate Utilities Committee
January 19, 2017

Agency Organizational Chart



Agency Mission and Vision

Agency Mission

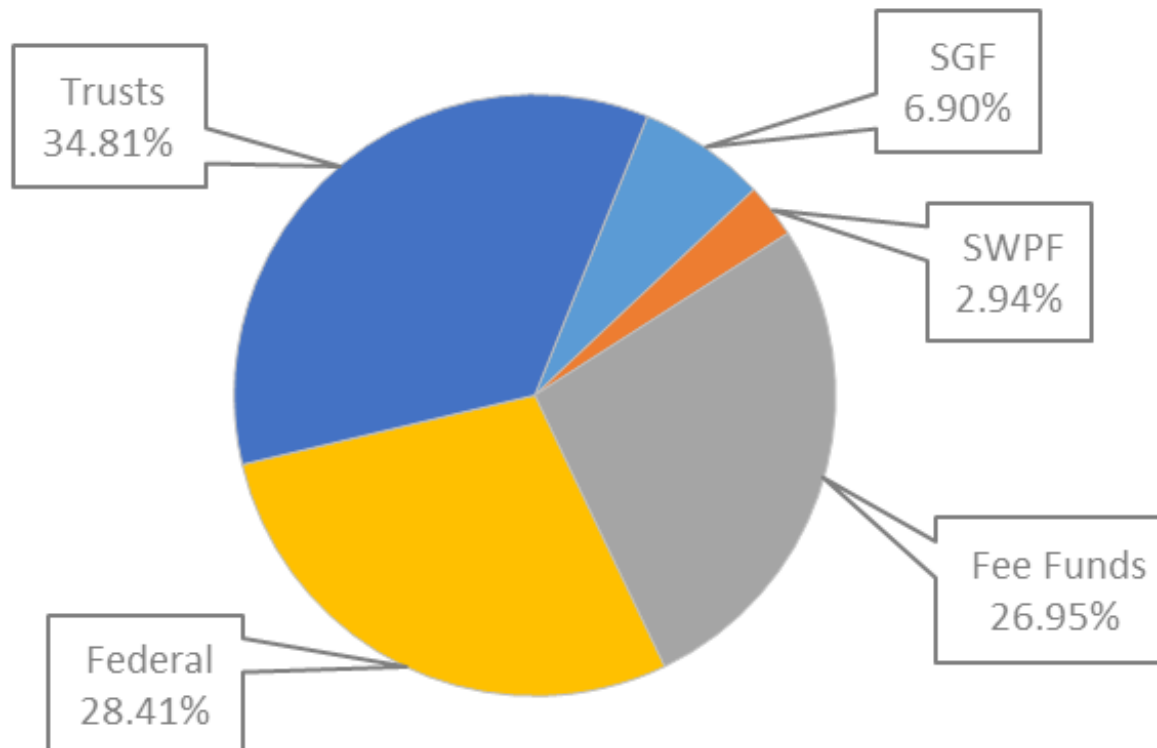
- To protect and improve the health and environment of all Kansans.

Agency Vision

- Healthy Kansans living in safe and sustainable environments.

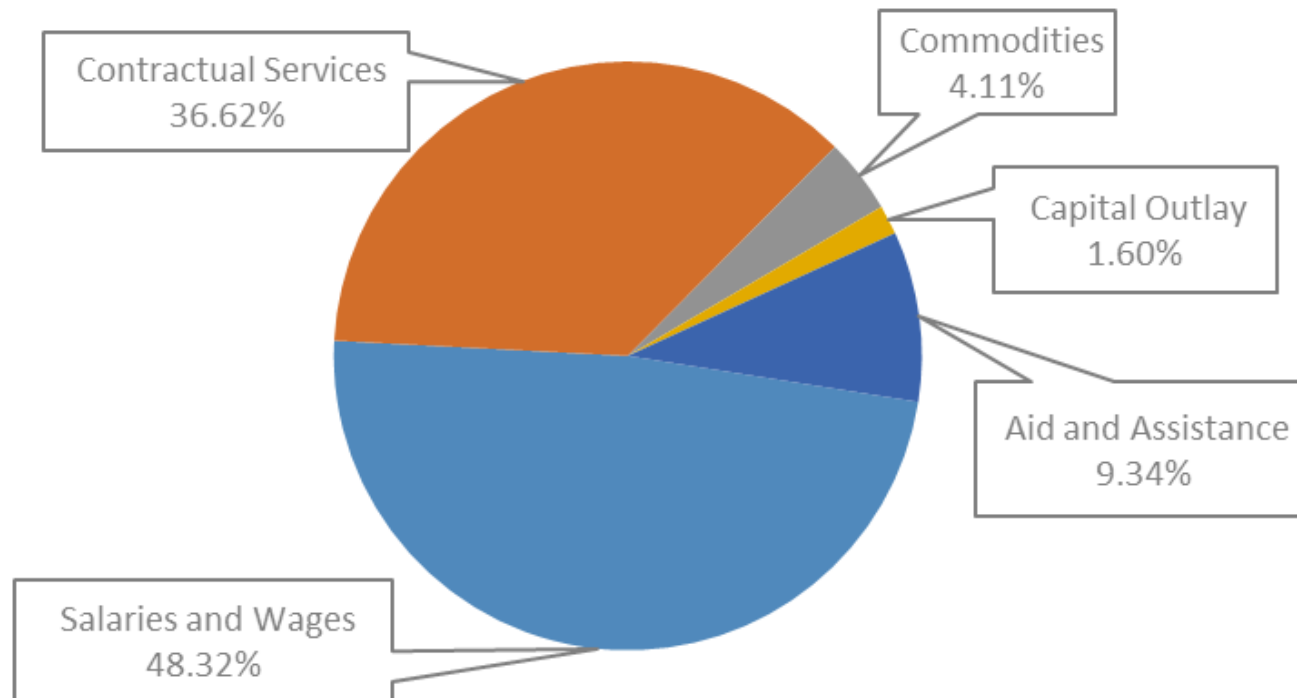
Funding Sources – FY 2017

Environment Funding Sources



Expenditures – FY 2017

Environment Expenditures



KDHE Role Working with Utilities and Senate Utilities Committee

- KDHE implements Federal Clean Air Act requirements
- In recent years, agency worked closely with Senate Utilities Committee on implementation of EPA's Clean Power Plan
- KDHE role vs. Kansas Corporation Commission (KCC) Role

Clean Power Plan (CPP)

- EPA rule regulating carbon dioxide emissions from existing power plants
 - Promulgated June 2, 2014
 - Finalized August 3, 2015
- Kansas goal is a reduction to 1,293 lbs/Net MWh in 2030
 - Based on 2012 rate of 2,319 lbs/Net MWh
- Federal Plan imposed if State fails to submit plan or plan does not meet federal requirements
- States file suit in October 2015

CPP Legal Timelines

- **February 9, 2016** - Supreme Court issues “stay” of EPA’s CPP
 - “Stay” will remain in effect until the D.C. Circuit resolves legal challenges and either the Supreme Court decides not to review the D.C. Circuit decision or the Supreme Court issues its own opinion
- D.C. Circuit moves to hold hearing “en banc”
 - En banc hearing is with all available circuit judges
 - Used to expedite proceedings
- **September 27, 2016** - Ten judges hold en banc hearing

CPP Legal Timelines, continued

- Issues argued at D.C. Circuit En Banc Hearing:
 - Constitutional issues
 - Section 112 issue
 - Statutory issues (other than Section 112)
 - Notice issues
 - Record-based issues
- Ruling expected at any time

Current Kansas Picture

- 2016 Kansas Legislature passed **SB318**
- SB318 suspended all state agency activities, studies and CPP investigations or an preparations related to an initial submittal
- Suspension of state agency activities will continue until the stay on implementation of the CPP is lifted

What's Next?

- Wait and see what the Trump Administration will do
- Actively engage the administration on operational issues to allow Kansas more flexibility to compliance

Other KDHE DOE Important Issues

- Implementing new tools such as **Environmental Liability Release Program** to help stimulate economic development of contaminated property
- Working closely with **Public Water Supply** utilities to ensure all systems provide safe water to their citizens
- Maintaining a **Blue-Green Algae** monitoring and awareness program and working with stakeholders to prevent harmful algal blooms
- Working closely with agriculture community to **prevent nutrient runoff**
- Working closely with Ranchers and neighboring states on revisions to the **Flint Hills Smoke Management Plan**
- Utilizing private sector contractor to develop hazardous waste management app, providing easy-to-use **compliance tools**
- Maintaining a **strong support Laboratory** for conducting analysis of routine and non-routine environmental & public health samples

Thank you

Questions?